#### Counterplan Text: The Fifty States of America and United States territories should [plan text]

Gun control policies should be passed through states—passing a federal policy is inefficient and unenforceable. **Kleck ’86**[[1]](#footnote--1)

Yet, many advocates of federal controls go far beyond such measures. **In their report** to the National Violence Commission, **Newton and Zimring** **recommended** **a federal** restrictive licensing standard amounting to a virtual **ban on private ownership of handguns**. 67 **Rather than simply supplementing state measures and thus making it possible for states effectively to apply** whatever **gun control measures** they regard **as** necessary, **such** a far-reaching proposal is a substitute for state controls, **a way of overriding state legislatures' unwillingness to pass more restrictive laws of their own**. **There are several** good **reasons to reject this** approach. **First**, the concept of **federalism implies that the states should have as much autonomy as possible in drafting thei**r criminal **law** and other statutes. **Second, federal controls are less satisfactory because** traditionally **there has been a very limited federal law enforcement apparatus in the area of ordinary crime**. **The** Federal Bureau of Investigation (**FBI) regards itself more as an investigatory than a law enforcement agency**. **Nothing at the federal level corresponds to a** street **police force**, **and local police** agencies, where most law enforcement personnel are concentrated, **have generally been reluctant to devote their** limited **resources to** the enforcement of **federal laws**. **Third, the need for gun control differs** sharply **from one state to another**. Some states have almost no violent crime, with or without guns, while others have a great deal. For example, in 1981 **South Dakota had only twelve murders** and nonnegligent manslaughters and 122 robberies (1.8 and 17.8 per 100,000 population, respectively), while **Nevada**, with only twenty-three percent more people, **had 148** homicides and 3,867 robberies (17.5 and 64.9 per 100,000, respectively) 68

#### And it doesn’t link to politics - **Goldsmith 97**[[2]](#footnote-0)

The rise in subnational foreign relations activity tells us little, of course, about the activity's normative desirability. But we should also avoid the automatic assumption that this development is normatively undesirable. This is especially true because the federal political branches have made clear that, in contrast to traditional foreign relations activities which largely have been federalized through statute and treaty, they do not always, or even usually, prefer federal regulation of these new foreign relations issues. The recent increase in state and local involvement in such issues "has occasioned little reaction from Congress or the Executive." [232](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n232" \t "_self) And when the political branches do react, they often choose to protect state interests over foreign relations interests when the two appear to clash. A good example is the United States' recent ratification of a variety of international human rights treaties. [233](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n233" \t "_self) These treaties create numerous potential [\*1675]  conflicts with state law. [234](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n234" \t "_self) In the face of international pressure, the President and Senate have consistently attached reservations, understandings, and declarations to these treaties to ensure that they do not preempt or affect inconsistent state law. [235](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n235" \t "_self) Similarly, California's worldwide unitary tax on multinational corporations has provoked enormous diplomatic controversy with our closest trading partners since the 1980s. [236](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n236" \t "_self) The President negotiated a treaty that would have preempted this law, but the Senate withheld its consent. [237](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n237" \t "_self) And in the face of substantial pressure from foreign governments, Congress consistently failed to enact legislation preempting the unitary tax. [238](http://www.lexis.com/research/retrieve?_m=30e57da0c4e98dad4748fc94bcd482ae&csvc=bl&cform=bool&_fmtstr=FULL&docnum=1&_startdoc=1&wchp=dGLbVtb-zSkAW&_md5=4c3bbc49db3765e390d1f2e67acc99c4" \l "n238" \t "_self)

**AT States CP Bad Theory**

1. Counter interpretation debaters may run a counterplan that chooses the fifty states as the actor instead of the United States Federal Government
2. I meet
3. Standards,

**Predictability**

* 1. There are infinite AFFs, I need some flex in order to answer back the infinite possible AFFs, I can’t cut infinite case NEGs or write infinite counterplans
  2. This was in the literature and I have a solvency advocate, and a bunch of debaters have this exact counterplan on their wiki page so you definitely could’ve predicted it.

**Reciprocity,**

You got to spec the actor it would be reciprocal if I can pick one too , you just picked a bad actor that’s your fault not mine.

**Real World education**

1. Learning about different policies make us informed advocates for solutions-it’s illogical to assume congressional action is the best, also my education outweighs beucase it’s far more likely that we are elected to a state congress then the federal one.
2. Critical thinking-forces teams to understand the intricacies of government processes and how it interacts with the net benefit
3. Best policy option-debate is a referendum on policies and if we win the CP you should reward us for choosing the best

d. Crucial to force genuine “Federal key” warrants --- States counterplans alone allow the Aff to manipulate current jurisdiction to avoid this --- and, that’s important for education Columbia Encyclopedia 1**[[3]](#footnote-1)**

FEDERAL GOVERNMENT [federal government] or federation, government of a union of states in which sovereignty is divided between a central authority and component state authorities. A federation differs from a confederation in that the central power acts directly upon individuals as well as upon states, thus creating the problem of dual allegiance. Substantial power over matters affecting the people as a whole, such as external affairs, commerce, coinage, and the maintenance of military forces, are usually granted to the central government. Nevertheless, retention of jurisdiction over local affairs by states is compatible with the federal system and makes allowance for local feelings. The chief political problem of a federal system of government is likely to be the allocation of sovereignty, because the need for unity among the federating states may conflict with their desire for autonomy.

**Ground**

1. Federal is a central portion of the topic – I should be able to counterplan against
2. Plan debates mean that I get everything outside the plan as ground, as long as its competitive, I lose ground if I don’t.
3. It increases your ground you can always impact turn federalism.

1. Policy Lessons from Recent Gun Control Research Author(s): Gary Kleck Source: Law and Contemporary Problems, Vol. 49, No. 1, Gun Control (Winter, 1986), pp. 35-62 Published by: Duke University School of Law. LK [↑](#footnote-ref--1)
2. (Jack, Associate Prof – U Chicago, Virginia Law Review, November, Lexis) LK [↑](#footnote-ref-0)
3. (http://www.encyclopedia.com/html/f/federalg.asp) [↑](#footnote-ref-1)